Repn VI 1905

File No. 7 -05
Serial Nos. 1-3

1905.

GENERAL AND REVENUE SECRETARIAT.

(14 Legislative

18

Part A: Manuscript
for November 05

Serial Nos. 1-3.

Amendment of Sec 193 of the Mysore Land Revenue Code IV of 1888.

(Misc. 103.

G.R.S. 11] 1905.

GENERAL AND REVENUE SECRETARIAT.

(Legn)

NOTES.

File No. 7 - 05

FILE HEADING.

Amendment of Section 193 of the Mysore Land Revenue Code, 1888.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

I beg to invite attention to the new section 144A added to the Assam Land & Revenue Regulation by Regulation II of 1905 (p.405 of the Gazette of India, dt. 17th June 1905).

It corresponds to para 1 of sec. 193 of our Land Revenue Code, but contains an additional provision regarding moneys due to Government under contracts which provide

NOTES—First sheet.

MGCPB—5,000—18-5-04

Serial No.

that they shall be recoverable as arrears of land revenue. Such a provision will, if adopted in Mysore, go a long way towards meeting the difficulties felt recently in connection with (1) the recovery of advances to raiyats for earth-work to tanks, and (2) the recovery of arrears of loans to members of Agricultural Banks in cases where they agree that the same shall be recoverable as land revenue arrears.

3 If the desirability of the addition is accepted, I shall then prepare a draft Regulation making the necessary amendments to sec.193.

(Intld.) K. S. Chandrasekhara Aiyar
28 - 6 - 05.

4 I think so also. Submitted to the Dewan Saheb through the 1st Councillor

(Intld.) B. K. Vathadhavaraja Iyengar
28-6-05.

5 I agree. Some such law as this will remove all difficulties recently brought to notice.

(Intld.) C. S.
29-6-05.

6 This is a good suggestion and may be carried out.

(Intld.) P. N. K.
2 - 7 - 05.

7 A draft Regn. to amend s. 193 of the L. R. Code is accordingly submitted for approval. The Statement of Objects & Reasons, which accompanies it, fully explains the necessity for the measure.

Recd. K. S. Ramaswamy Iyengar 10-7-05
8/7 To Council B. K. Vathadhavaraja Iyengar 11. 7. 1905

× B

NOTE—Contn. sheet.

MGCPB—50,000—17-2-05

7/11

GENERAL AND REVENUE SECRETARIAT.

Matter for Council Meeting to be held on the 26th July 05
at Bangalore.

Subject.

Draft of a Regulation to amend Section 193 of the Mysore Land Rev Code. So as to provide for the recovery of all moneys due to Govt: under Contracts, &c., as arrears of land revenue:-

Received 26/7/05

Circulated to Councillors.

By Order,

13/7/1905

Secretary.

Rajamantra Pravina

1. C. Sreenivasiengar Esqr
First Councillor

c.22
13.VII.1905

Nil
14-7-05

2. Rao Bahadur
C. Madiah Esqr
Second Councillor -

14.7.1905
Nil 14/7/05

17/7/05.

To Comml
17.7.1905

2/-05.
15.7

G. R. S. 17

Legis. 7-05

Submitted to His Highness.

The statement of objects and reasons explains the need for the amendment to Section 193 of the Mysore Land Revenue Code, which is on the lines of the new section 144 A recently added to the Assam Land Revenue Regulation. The amendment provides for the recovery of moneys due to Government under contracts as arrears of land revenue and will thereby obviate the difficulties now felt in recovering advances of money made for earth-work to tanks and of loans due from Agricultural Banks. The Regulation and the draft to the Residency applying for the sanction of the Government of India, may be approved.

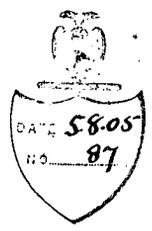
4. VIII. 05

Leg. 7-05

6

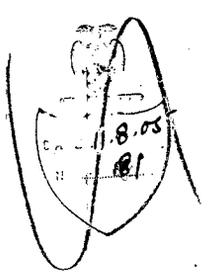
935
1.8.05.

Record of Case submitted for the orders of His Highness the Maharaja.



Subject.

Draft of a Regulation to amend section 193 of the Mysore Land Revenue Code, so as to provide for the recovery of all moneys due to Government under contracts &c, as arrears of land revenue.



Order.

12 Approved

~~KRW~~

8/8/05

13 Issue P.N.N.

10.VIII.05

11.8.05

11.8.05

G.R.S. 12].

General and Revenue Secretariat.

Legis: File No. 7 of 1905

7

Serial No.	
1	The First Asst: to the Hon'ble the Resident in Mysore. Letter Pol. no. 118 dated 16.8.05. Forwards a draft Regulation amending Section 193 of the Mysore Land Rev: Code, Regln IV of 1888 and requests that the sanction of the Govt of India may kindly be obtained to its being promulgated as law.
2	From the Same officer. Letter no: 6308 dated 31.10.05. States that the Govt of India have no objection to the proposed legislation. Mr. Sub will send 2 fair copies of the Regulation. H.H. the Maharaja's Sanction has now to be obtained. 1/11/05 1/11/05 15 Submitted to the Dewan Saheb 3.11.1905 2-11-05

NOTE—Contn. sheet.

MGCPB—50,000—17-2 05

7-05

9

Record of Case submitted for the orders of His Highness the Maharaja.

307

10.11.05
310

Subject.

Sanction for promulgating:-the Regulation further to amend the Mysore Land Revenue Code.

Order.

16/11/05
286

17. Sanctioned

~~KRW~~

13/11/05

18. Put up

15.XI

17.11.05

17-11-05

G.R.S. 26]

File No. 7

Serial No. 1

Diary No. of letter replied to

General and Rev. Secretariat

( )

, the 190 .

Date of issue 16.8.05

Signed by B.K. Venkatarangaiya

With a copy

Pol No. 168 dated the 16th
Encl 2 August 1905

To

The First Asstt to the
Hon'ble the Resident in Mysore

Sir,

I am directed to forward herewith a draft of a Regn further to amend the Mysore Land Revenue Code, Regn IV of 1888, and to request that the sanction of the Govt of India may kindly be obtained to its being promulgated as law.

2. Among the amendments recently made to the Mysore Land Revenue Regulation, I of 1886, is one that provides that "all moneys falling due to Govt under any grant, lease, security bond

over.

SUBJECT.

S. 131

4.VIII.05

11-8-1905

or Contract which provides that they shall be so recoverable, may be treated under the Regulation in the same manner as an arrear of Land Revenue - (Vide Sec 144A, newly added by Regulation II of 1905 published at pages 403-5 of the Gazette of India, Part I, dated the 17th June 1905).

5. It has appeared to the Maharaja's Government that such a provision (and in particular, that portion of it which relates to Contracts embodying the liability for revenue as a revenue arrear) may with advantage be adopted in Mysore.

6. As a matter of fact, difficulties have been felt of late in connection with the recovery of loans originally made to the Coffee Planters of Nakkalpur & Chickmagalur, but which have been ordered to be apportioned among

List of enclosures.

2 cards

SM 17/6/05

Copied by 16/8/05

Examined by SM

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

the members individually on their agreeing in writing to their shares of the loans being secured by Govt. as arrears of land revenue. Similar difficulties have also been raised in connection with the question of the recovery of advances made to raiyats for enabling them to do the earthwork of tanks under the Minor Tanks Restoration Scheme.

5. All these difficulties will disappear if a provision like that under advertence be inserted in Sec 153 of the Mysore Land Rev Code, 1888. This accordingly is the object of the accompanying draft Regulation.

6. As the addition proposed to be made applies to all moneys due under security bonds generally the fourth paragraph of Sec 153 of the Code relating to the liability of sureties in certain cases becomes superfluous and has accordingly to be omitted. This consequential change will be effected by sub section (2) of Sec 1 of the draft.

Sheveto
26-7-1905
Secretary

Draft of
A Regulation further to amend the Mysore Land Revenue Code, 1888.

Whereas it is expedient further [Preamble.] to amend the Mysore Land Revenue Code, 1888; His Highness the Maharaja is pleased to enact as follows:-

Amendment of section 193 of the Mysore Land Revenue Code.

1. (1) In section 193 of the Mysore Land Revenue code, 1888, after the first paragraph ending with the words "relating to land revenue" the following words shall be inserted, namely:

"and all moneys falling due to Government under any grant, lease, security bond, or contract which provides that they shall be recoverable as a revenue demand or arrear of land revenue."

(2) In the same section the paragraph beginning with the words "And all persons" and ending with the words "revenue defaulters" is repealed.

Copied 16/8/05
Examined.

26.7.1905
Lean

11.7.05.

Statement of Objects & Reasons.

Among the amendments recently made to the Assam Land and Revenue Regulation, I of 1886, is one that provides that "all moneys falling due to Government under any grant, lease, security bond, or contract which provides that they shall be so recoverable, may be recovered under this Regulation in the same manner as an arrear of land-revenue." — Vide S. 144 A ~~added~~ ~~repealed~~ by Regulation II of 1905, published at pages 403-5 of the Gazette of India, Part-I, dated the 17th June 1905.

It appears to Government that such a provision (and in particular, that portion of it which relates to contracts embodying the liability for recovery as a revenue arrear) may with advantage be adopted in Mysore.

As a matter of fact, difficulties have been felt of late in connection with the recovery of loans originally made by the Coffee Banks of Salkan pur and Chikmagalur, but which

R. P. B.—8-1905.—500

No. 6308-931-1905

From

R. C. H. MOSS KING, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 31st October 1905.

Sir,

I am directed to acknowledge the receipt of Mr. Venkatavaradaiengar's letter Pol.No.118, dated the 16th August 1905 forwarding the draft of a Regulation further to amend the Mysore Land Revenue Code, Regulation IV of 1888.

2. In reply I am to say that the Government of India have no objection to the proposed legislation.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

File No 7-3

GOVERNMENT OF MYSORE,
LEGISLATIVE DEPARTMENT.

READ the following papers :—

1) Letter No. Fd 118 Legd dtd 16th August 1905 to the First Asst to the Resident in Mysore

[From the letter as before with its enclosure]

2) Letter No. 5308 dtd 21st October 1905 from the Private Secretary to the Resident in Mysore stating that the Government of India have no objection to the proposed legislation.

Signed by B Ramaswamy Aiyangar 23/11/05

No. J 1443-1483
LEGIS. 7-3 dated 23 11 1905.

ORDER THEREON:—Ordered that the Draft Regulation further to amend the Mysore Land Revenue Code, Regulation IV of 1886,

which received the assent of His Highness the Maharaja on the 13th day of November 1905, be promulgated.

The order publishing the Regulation to be sent to the Compiler, Mysore Gazette, in the form sent herewith

22/11/05

Secy. to Govt., Gen. & Rev. Depts.

To—The Compiler, *Mysore Gazette*, with a copy of Regulation No. VI of 1905, for publication in three successive issues of the Gazette and for supply of 300 spare copies to this office.

Kannada translation of the Regulation

MGCPB—1-3—100.

Copies sent 23.11.05
Examined 28/11/05

20/11/05